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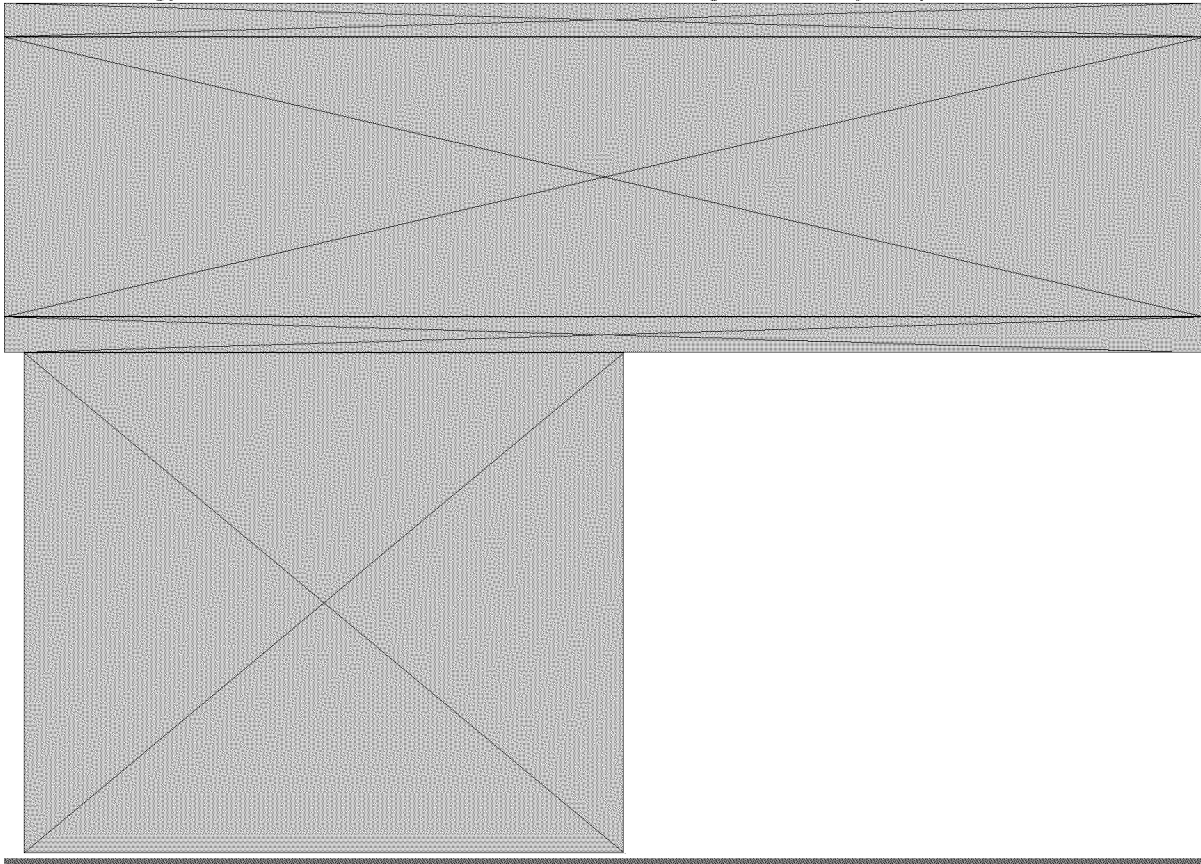
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Energy and environment headlines for the morning of Tuesday, September 8, 2015



## Back in action, House stages first grilling of EPA over mine spill

By Kevin Rogers

Congress is returning from a long August recess, and House Republicans are wasting no time grilling the Environmental Protection Agency over last month's spill of 3 million gallons of toxic mining waste that fouled Colorado's Animas River.

The House Science, Space and Technology Committee on Wednesday will take the first crack at the agency's handling of the spill. The accident stemmed from efforts from both EPA employees and contract workers from Environmental Restoration LLC, to examine pollution at the shuttered Gold King Mine near Silverton, Colorado.

Chairman Lamar Smith, R-Texas, had initially invited EPA Administrator Gina McCarthy to testify, though she won't be in attendance. Instead, Mathy Stanislaus, assistant administrator of EPA's Office of Solid Waste and Emergency Response, will testify on behalf of the agency. He'll be joined by Dennis Greaney, president of Environmental Restoration, LLC.

"After spilling millions of gallons of toxic chemicals into the Animas River, the EPA has an obligation to be forthcoming about what went wrong and potential long-term impacts on local communities," Smith said. "The Science Committee will hear from the EPA about steps it is taking to repair the damage and to prevent this from ever occurring again."

The committee will also hear from Donald Benn, executive director of the Navajo Nation's environmental arm, Durango, Colo., Mayor Dean Brookie and geochemist Mark Williamson.

McCarthy is slated to testify before the Senate Environment and Public Works Committee on Sept. 16 and before a joint hearing of the House Oversight and Government Reform and the House Natural Resources Committee on Sept. 17. She'll be joined at the House hearing by Interior Secretary Sally Jewell, whose department is overseeing an investigation into the spill.

The House Science Committee has another pair of energy-related hearings this week. On Thursday, the subcommittees on Oversight and Energy plan a hearing on vulnerabilities in the U.S. electricity supply, where lawmakers will hear from experts across the engineering, electric and cybersecurity sectors.

On Friday, the Subcommittee on Environment plans to hear testimony from state leaders on the EPA's recently finalized Clean Power Plan, which seeks to cut carbon emissions from power plants by 32 percent by 2030, compared with 2005 levels. It will offer House Republicans their first chance to criticize the regulations in committee, as the hearing focuses on "how EPA's power plan will shut down power plants."

Other House committees plan to move against other Obama administration energy and environment priorities

The House Natural Resources Committee on Wednesday plans to commence a markup session that includes a bill from Rep. Alex Mooney, R-W.Va., that would block the Interior Department's stream buffer zone regulation for mining, proposed in July. The bill would also require the department to make the research it uses publicly available and to conduct a new study into the effectiveness of current stream protections.

The committee will also consider a bill introduced by Rep. Don Young, R-Alaska, to put limits on energy regulations on Indian lands.

The House Energy and Commerce Committee also has energy on the agenda, with the subcommittees on Energy and Power and Environment and the Economy set to hold a joint hearing on the Nuclear Regulatory Commission and its long-term planning. The hearing will feature testimony from the four NRC commissioners, led by Chairman Stephen Burns.

It will also delve into the ongoing battle over the stalled Yucca Mountain repository in Nevada. Reps. Ed Whitfield, R-Ky., and John Shimkus, R-Ill., the two chairmen of the subcommittees, promised to examine nuclear waste with a strong focus on the project.

The Senate energy and environment committees are set to take the week off, as the full chamber begins debate on a resolution to disapprove the Iran nuclear deal.

While President Barack Obama last week clinched enough support from Senate Democrats to uphold a veto of the resolution, Republicans may have enough votes to get the resolution to his desk.

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## As drilling rises, so does waste spills

**By John Flesher**

CROSSROADS, N.M. (AP) — Carl Johnson and son Justin are third- and fourth-generation

ranchers who for decades have battled oilfield companies that left a patchwork of barren earth where the men graze cattle in the high plains of New Mexico. Blunt and profane, they stroll across a 1 1/2-acre patch of sandy soil — lifeless, save for a scattering of stunted weeds.

Five years ago, a broken pipe soaked the land with as much as 420,000 gallons of oilfield wastewater — a salty and potentially toxic drilling byproduct that can quickly turn fertile land into a dead zone. The leaked brine killed every sprig of grama and bluestem grasses and shinnery shrubs it touched.

For the Johnsons, the spill is among dozens that have taken a heavy toll: a landscape pockmarked with spots where livestock can no longer graze, legal fees running into the tens of thousands and worries about the safety of the area's underground aquifer.

"If we lose our water, that ruins our ranch," Justin Johnson said. "That's the end of the story."

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## **States rarely punish companies for oil wastewater spills**

**By John Flesher**

OKLAHOMA CITY (AP) — In April 2013, a malfunctioning oil well in the countryside north of Oklahoma City caused storage tanks to overflow, sending 42,000 gallons of briny wastewater hurtling over a dike, across a wheat field and into a farm pond.

State regulators ordered the oil company to clean up as much of the spill as possible and repair the site. But they didn't impose fines or other punishment against Moore Petroleum Investment Corp., a tiny company in Norman that operates only a few wells.

Regardless of the damage done, the no-penalty policy is standard practice across the country after oilfield wastewater accidents by companies of all sizes. Spills by the tens of thousands have denuded farm and ranch lands and polluted waters in oil-producing areas for decades, yet only a small minority resulted in discipline. Regulators' approach toward oil spills is largely the same.

"We certainly believe there's a time and a place for that hammer, but we want to be very judicious in its use," said Matt Skinner, spokesman for the Oklahoma Corporation Commission, which oversees the industry in that state. Moore Petroleum promptly arranged cleanup of its spill, which was accidental, he said.

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## **Questions and answers about damaging oilfield wastewater**

**By John Flesher**

As U.S. oil and gas production increased this past decade, so, too, did spills of salty oilfield wastewater that can foul the land, kill wildlife and threaten freshwater supplies. An Associated Press analysis of 11 states found more than 180 million gallons of wastewater spilled from 2009 to 2014. Questions and answers about this damaging byproduct of energy production:

### **WHAT IS IT?**

Oilfield wastewater is the fluid that comes to the surface when oil and gas are pumped out of the earth. Some is salty residue from ancient seas in underground rock formations. The rest is fresh water that was mixed with chemicals and sand and injected underground to crack open subterranean rock, the drilling process known as "fracking." The industry usually calls the liquid waste "produced water," but other common terms include brine, saltwater and flowback.

### **HOW MUCH IS THERE?**

In a typical year, about 10 times as much wastewater is produced as crude oil itself, according to one study by a group of state groundwater agencies. In 2012, for example, roughly 840 billion gallons of wastewater were produced from onshore wells. Offshore wells generated another 26 billion gallons.

### **HOW HARMFUL IS IT?**

That depends partly on the geological formation where it originates. Salinity varies from place to place. In its least potent form, such as wastewater generated by coal-bed methane production in Wyoming, it can be safe enough for livestock watering. In its most potent form, oilfield wastewater is at least 10 times saltier than ocean water. The liquid also can contain metals such as barium and iron, oil and grease, and radioactive materials such as radium. Wastewater spills have killed fish in streams and ponds, and cattle that drank contaminated water. Brine-flooded land won't grow crops or other plants.

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## **Congress plunging into debate on Iran nuclear deal**

**By Erica Werner**

WASHINGTON (AP) — Lawmakers returning to Washington from their summer recess are

plunging immediately into bitter, partisan debate over the Iran nuclear accord.

The deal struck by Iran, the U.S. and five world powers in July is aimed at curbing Iran's nuclear program in exchange for hundreds of billions of dollars in relief from economic sanctions.

Republicans who control the House and Senate strongly oppose the pact, saying it makes dangerous concessions to Iran. They hope to push through a resolution of disapproval this week.

If they succeed, President Barack Obama would veto the resolution, and Democrats have already lined up enough votes to uphold his veto.

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## **Judge: Injunction against water rule limited to 13 states**

**By James MacPherson**

BISMARCK, N.D. (AP) — A federal judge in North Dakota said Friday that his injunction blocking a new Obama administration rule aimed at regulating some small waterways applies only to the 13 states that sued to block it, and not nationwide.

The ruling by U.S. District Judge Ralph Erickson clarified the temporary injunction he issued last week at the request of North Dakota and 12 other states. They sought to stop the U.S. Environmental Protection Agency and the Army Corps of Engineers from regulating some small streams, tributaries and wetlands under the Clean Water Act.

"Because there are competing sovereign interests and competing judicial rulings, the court declines to extend the preliminary injunction at issue beyond the entities actually before it," Erickson wrote.

The EPA had maintained after Erickson's initial ruling that the injunction applied in only those 13 states, and said it had begun enforcing it elsewhere. The states had argued that the judge made no geographical limitation in his ruling and it should apply everywhere.

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### **A message from America's Natural Gas Alliance**

**Natural gas helps make Denver International one of America's most environmentally sustainable airports. Think about it.**

## **No union mines left in Kentucky, where labor wars once raged**

**By Dylan Lovan**

HARLAN, Ky. (AP) — Kentucky coal miners bled and died to unionize.

Their workplaces became war zones, and gun battles once punctuated union protests. In past decades, organizers have been beaten, stabbed and shot while seeking better pay and safer conditions deep underground.

But more recently the United Mine Workers in Kentucky have been in retreat, dwindling like the black seams of coal in the Appalachian mountains.

And now the last union mine in Kentucky has been shut down.

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## **Stretch of Mississippi River in Ky. reopens after oil spill**

**By The Associated Press**

COLUMBUS, Ky. (AP) — A 17-mile stretch of Mississippi River in Kentucky has reopened with restrictions after it was closed following a collision between two tow boats that spilled more than 120,000 gallons of oil into the waterway, the U.S. Coast Guard said Saturday.

The Coast Guard had closed the Mississippi from mile markers 939 to 922 after Wednesday evening's collision near Columbus, Kentucky, damaged at least one barge carrying slurry oil. Officials said the cargo tank ruptured, causing tens of thousands of gallons of oil to spill into the river.

On Saturday morning, the Coast Guard said vessel traffic on the affected part of the river was open, with a safety zone in effect from mile marker 938 to 934. The Coast Guard says vessels travel in one direction per 12-hour period.

The closure caused a backup of tows and barges on the river. Twenty-seven vessels were waiting to move upriver and 10 were waiting to travel downriver early Saturday, the Coast Guard said.

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## **California's climate fight comes down to late negotiations**

**By Judy Lin**

SACRAMENTO, California (AP) — California Gov. Jerry Brown has made climate change the centerpiece of his final tenure by laying out the most aggressive benchmark in North America, which would reduce California's carbon footprint and boost the state's renewable energy use to 50 percent in 15 years.

Securing legislation requiring that standard in the world's eighth-largest economy would be a timely win for Brown before international leaders meet in Paris in November for the United Nations climate change conference. Brown is likely to attend the conference, but he has not said so officially.

But first, the Democratic governor has to break through a logjam in his own party in the final week of the legislative session.

Many Assembly Democrats — including moderates and those representing less wealthy districts — are concerned that the ambitious proposal to cut petroleum use by half, boost renewable electricity use to 50 percent and double energy efficiency in existing buildings will hurt California's economy and working-class residents.

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## **US study asks if Atlantic hurricane season is weakening**

**By Seth Borenstein**

WASHINGTON (AP) — A provocative new study asks if an end is coming to the busy Atlantic hurricane seasons of recent decades.

The Atlantic looks like it is entering in to a new quieter cycle of storm activity, like in the 1970s and 1980s, two prominent hurricane researchers wrote Monday in the journal *Nature Geoscience*.

Scientists at Colorado State University, including the professor who pioneered hurricane seasonal prognostication, say they are seeing a localized cooling and salinity level drop in the North Atlantic near Greenland. Those conditions, they theorize, change local weather and ocean patterns and form an on-again, off-again cycle in hurricane activity that they trace back to the late 1800s.

Warmer saltier produces periods of more and stronger storms followed by cooler less salty water triggering a similar period of fewer and weaker hurricanes, the scientists say. The periods last about 25 years, sometimes more, sometimes less. The busy cycle that just ended was one of the shorter ones, perhaps because it was so strong that it ran out of energy, said study lead author Phil Klotzbach.

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## **Scientists link oil exposure to reduced survival of fish**

**By Dan Joling**

ANCHORAGE, Alaska (AP) — New federal research shows that embryonic salmon and herring exposed to very low levels of crude oil can develop heart defects that hurt their chances for survival.

The National Oceanic and Atmospheric Administration scientists say their conclusion could explain why herring and pink salmon populations in Prince William Sound declined after the 1989 Exxon Valdez spill.

Research toxicologist John Incardona of NOAA Fisheries in Seattle says in a statement that delayed effects of the spill may have been important contributors to the declines.

Scientists exposed embryonic salmon and herring to low levels of crude oil. They grew and swam slower than fish that were not exposed, making them more vulnerable to predators.

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## **US replanting project focuses on repairing East Coast**

**By Amy Anthony**

PROVIDENCE, Rhode Island (AP) — Vast stretches of the tall grasses that dot the Atlantic coast were destroyed during Superstorm Sandy, removing a vital protective buffer for the region's shoreline.

Now, the New England Wild Flower Society and its partners are planning to collect the seeds of native plants like saltmarsh rush and little bluestem and replant them in areas battered by the deadly 2012 storm.

The \$2.3 million project will help make these habitats more resilient to future storms, especially the coastal areas that act as a buffer during storms, the Society said. For inland

states, the seeds will be used to help restore river banks in areas that flooded extensively during Sandy.

The two-year project is the first large-scale, coordinated, seed banking effort in the Eastern United States. It is part of the Seeds of Success program, a national initiative the Bureau of Land Management first established in 2001. Wildlife refuges in Connecticut, Massachusetts, New Hampshire and Rhode Island are participating in the New England collection effort.

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## French president warns UN climate talks could fail

By The Associated Press

PARIS (AP) — France's president says that major U.N. climate talks in Paris could fail to produce a global deal in December, and is urging faster action.

Francois Hollande pushed Monday for agreement ahead of the talks on how to pay for adapting to and reducing global warming. He warned that poorer countries will not agree to a global accord if there is no commitment from richer countries to help with financing.

Hollande is pushing his counterparts around the world to make strong, lasting plans to reduce the emissions that are warming the planet, but said "a risk of failure exists."

If there is no deal, he added, that could worsen the world's migrant crises, saying there could be millions of refugees fleeing rising seas, droughts and other climate emergencies.

## Egypt's finance minister says new gas find won't hurt reform

CAIRO (AP) — Egypt's finance minister says that the discovery of a massive new offshore natural gas field will not slow down his country's efforts to slash energy subsidies.

Speaking at a business conference in Cairo organized by Euromoney on Monday, Hany Kadyr Dimian said: "It will not stop us from continuing to implement the reforms that we need ... or give us room to maneuver with delays."

Italy's Eni SpA revealed late last month that the Zohr field was the "largest-ever" found in the Mediterranean Sea, something could that alleviate Egypt's need for gas imports in the coming years when a booming population will lead to a spike in domestic demand.

Analysts have voiced concerns that the windfall income from the find could lead Egypt to freeze the much-needed economic reforms.

## UN: NKorea continues developing its nuclear

## capabilities

VIENNA (AP) — The head of the U.N. atomic energy agency says satellite imagery of North Korea's main nuclear site indicates that the country is expanding its atomic program.

Tokuja Amano spoke Monday at the opening of a 35-nation board meeting of his International Atomic Energy Agency.

Most of the focus at the meeting will be on Iran. But the agency is also trying to keep tabs on North Korea, where it has had no presence since the country told its inspectors to leave after withdrawing from the Nuclear Nonproliferation treaty 12 years ago. Since then Pyongyang has test-exploded three nuclear weapons.

Amano says construction at the Yongbyon site observed through satellite photos appears to be consistent with North Korea's statements "that it is further developing its nuclear capabilities."

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### **McConnell, allies acting globally to undermine climate deal**

Neil Chatterjee, an aide to Senate Majority Leader Mitch McConnell, R-Ky., has met with foreign representatives to spread the word about Senate Republican efforts to undermine President Barack Obama's attempt to achieve an international climate deal in December, Politico reports.

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### **Oil, gas industries ready to play defense on Obama climate push**

The oil and gas industry is bracing for a "broad avalanche" of climate-focused regulations during President Obama's final year in office, though there is optimism the administration is open to ending the ban on crude oil exports, The Hill reports.

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### **Despite melting ice, Arctic drilling still a challenge**

Royal Dutch Shell and other international companies looking to take advantage of melting sea ice and develop Arctic resources are facing a myriad of problems, from a lack of support infrastructure to protests, The New York Times reports.

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### **Report: API, ANGA in talks for merger**

Sources familiar with negotiations tell Politico that the American Petroleum Institute and America's Natural Gas Alliance are considering a merger, as members complain about

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overlapping dues and the groups take on increasingly similar priorities.

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### **Summer gasoline demand expected to boost refinery maintenance**

A summer of strong demand for gasoline is expected to drive a greater-than-anticipated level of refinery maintenance in the coming weeks, which could cut daily gasoline output by 1.3 million barrels per day, the Houston Chronicle reports.

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### **Oil prices stabilize on German data, but down from Friday**

Oil prices dropped Tuesday but showed signs of stabilizing, thanks to news of strong German economic data. U.S. crude was down \$1.30 to \$44.75 a barrel, while Brent crude dropped \$1.39 to \$48.22 a barrel, Reuters reported.

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### **Rosneft chief: Russia won't help OPEC curb supply glut**

Rosneft Chief Executive Igor Sechin, a close ally of Russian President Vladimir Putin, said Russia won't join OPEC or work with members to cut production to help stabilize oil prices, the Financial Times reports.

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### **Islamic State, Syrian army fighting over Jazal oilfield**

Syrian government forces are fighting to maintain control of the Jazal oilfield from Islamic State fighters in an effort to maintain the last production facility partially under government control, Reuters reports.

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### **Chinese coal imports dipped 18 percent in August**

China, the world's top coal buyer, imported 17.49 tons in August, down 17.7 percent from the previous month. The country's overall coal imports have fallen 31.3 percent from January to August, Reuters reports.

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### **Israel backs Noble Energy deal, but barriers linger**

Israeli lawmakers have approved an agreement that would open the door for Noble Energy and partners to develop the country's offshore gas fields, but they have yet to clear final

barriers that would green-light development, FuelFix reports.

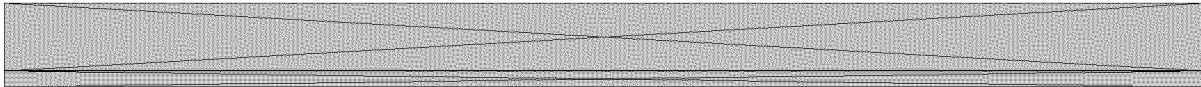
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## **Cnooc to maintain some production at Alberta oil sands plant**

Chinese state-owned energy company Cnooc's Canadian unit can produce oil sands at three-fourths capacity at its Long Lake plant in Alberta after regulators lifted a suspension order, The Wall Street Journal reports.

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## **Upcoming Events**



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